IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

WRIT PETITION NO.2515 OF 2004

Ramnath Rambachan Gupta ..Petitioner
Vs.
State of Maharashtra ..Respondent

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Mr.Rajendra Kadu with Mrs.Smita R.Kadu-Gawai
Advocates for Petitioner
Mr.V.B.Konde-Deshmukh A.P.P. for State

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CORAM: D.G.DESHPANDE AND
SMT.V.K.TAHILRAMANI,JJ.
DATE : MARCH 7, 2006

P.C.:

1. Heard the learned advocate for the petitioner and the learned A.P.P. for the State.

2. The petitioner was permitted to be released on furnishing surety of Rs.2,000/-. However, he has expressed his inability to furnish the surety in that amount and he has prayed that he be released on personal bond. He is resident of Ulhasnagar, Dist. Thane. The learned counsel for the petitioner has relied upon the judgment of this Court reported in **2003 All M.R (Cri.) 426; Bhimrao Natuji Bhoyar Vs. Superintendent, Amravati Central**

Prison, Amravati, wherein after considering the condition and financial position of the accused in prison, the Court has thought it fit to release him on personal bond. The petitioner is entitled to the benefit of the said judgment because he is placed in the same situation. Therefore, the petitioner be released on his furnishing P.R.bond of Rs.5,000/- on furlough as per Rules upon receipt of this order. The petitioner shall marks his presence to Ulhasnagar Police Station on every alternate day during this period.

3. Since this application is filed through jail, this order be communicated to the Superintendent of Yeravada Central Prison, Pune.

4. Writ petition is disposed of accordingly.

[D.G.DESHPANDE, J.]

[SMT.V.K.TAHILRAMANI,J.]